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Attorneys for Plaintiffs REYNALDO LOPEZ,
EUNICE DELGADILLO, UMBERTO MENDOZA,
AVEIA TAUTOLO, LADONA NARR and KARL
ARMSTRONG, individually, and on behalf of others
similarly situated

IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

REYNALDO LOPEZ et al.	)	No. 2:15-cv-07302-SVW-SS
Plaintiffs,	)	[Assigned to Hon. Stephen V. Wilson,
v.	)	Courtroom 10A; Magistrate Judge: Hon.
DELTA AIRLINES, INC. et al.	)	Suzanne H. Segal]
Defendants.	)	NOTICE OF MOTION AND MOTION
	)	FOR PRELIMINARY APPROVAL OF
	)	CLASS ACTION SETTLEMENT
	)	Date: July 17, 2017
	)	Time: 1:30 p.m.
	)	Courtroom: 10A
	)	Judge: Hon. Stephen V. Wilson

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE that on July 17, 2017 at 1:30 p.m. or as soon thereafter
3 as the matter can be heard in Courtroom 10A of the United States District Court for the
4 Central District of California located at the 350 W. 1st Street, Los Angeles, California,
5 Plaintiffs Reynaldo Lopez, Eunice Delgadillo, Umberto Mendoza, Aveia Tautolo, Ladona
6 Narr and Karl Armstrong will, and hereby do, move the Court as follows:

7 1. To preliminarily approve the Stipulation of Settlement (“Settlement
8 Agreement”) between Plaintiffs and the Class that this Court certified on December 16,
9 2016 (Dkt. 118), and Defendant Delta Airlines, Inc.;

10 2. To set dates for the submission of objections and opt-outs;

11 3. To set dates for the fairness hearing regarding final approval of the
12 Settlement Agreement, class representative enhancements, administrative fees and Class
13 Counsel’s motion for an award of attorneys’ fees and costs; and

14 4. To approve the form and authorize the mailing of the proposed notice of
15 settlement.

16 This motion is made on the grounds that the Settlement Agreement, which provides
17 for a total, non-reversionary payment of \$4.25 million, “is the product of serious,
18 informed, non-collusive negotiations, has no obvious deficiencies, does not improperly
19 grant preferential treatment to class representatives or segments of the class, and falls
20 within the range of possible approval,” such that preliminary approval is appropriate. *In*
21 *re Tableware Antitrust Litig.*, 484 F. Supp. 2d 1078, 1079 (N.D. Cal. 2007) (quoting
22 *Schwartz v. Dallas Cowboys Football Club, Ltd.*, 157 F. Supp. 2d 561, 570 n.12 (E.D. Pa.
23 2001)). Further, the proposed notice of settlement complies with due process
24 requirements and is the “best notice that is practicable under the circumstances,” as it
25 provides Class Members an opportunity to fully assess the Settlement, including
26 Plaintiffs’ motion for attorneys’ fees and costs, before deciding whether to opt-out or
27 submit objections. F.R.C.P. 23(c)(2)(B).

1 The motion is based upon this Notice, the accompanying Memorandum of Points
2 and Authorities and Declarations of Matthew J. Matern and Eileen B. Goldsmith and all
3 exhibits thereto, the complete files and records in this action, and any other evidence or
4 oral argument which may be considered by the Court at the time of the hearing.

5
6 DATED: June 9, 2017

Respectfully submitted,

7 **MATERN LAW GROUP, PC**

8 Matthew J. Matern

Dalia R. Khalili

9 Matthew W. Gordon

10 **ALTSHULER BERZON LLP**

11 James M. Finberg

Eileen B. Goldsmith

12 Eric P. Brown

13 By: /s/ Matthew J. Matern

14 Matthew J. Matern

15 Attorneys for Plaintiffs

16 REYNALDO LOPEZ et al.